

Amendment No. 41 to HB2318

**Johnson P
Signature of Sponsor**

AMEND Senate Bill No. 2300

House Bill No. 2318*

by deleting Section 20, as amended, in its entirety and by substituting instead the following language:

SECTION 20. Tennessee Code Annotated, Section 68-120-101(b), is amended by deleting subdivision (1) in its entirety and by substituting instead the following language:

(1)

(A) The standards established pursuant to subsection (a) apply to municipal, county, state and private buildings, including one-family and two-family dwellings, unless otherwise provided by statute.

(B)

(i) Notwithstanding subdivision (b)(1)(A), the standards established pursuant to subsection (a) relative to one-family and two-family dwellings do not apply in any county or municipality in which the legislative body of the county or municipality, by a two-thirds (2/3) vote, adopts a resolution to exempt the county or municipality, as appropriate, from the application of state-wide standards for one-family and two-family dwellings within the jurisdictional boundaries of the county or municipality, as appropriate; provided however, any action by the county legislative body concerning the implementation of this subdivision (b)(1)(B)(i) shall be limited to the jurisdictional boundaries outside any municipality located within such county. Upon approving the resolution, the presiding officer

of the legislative body shall notify the state fire marshal of the actions taken hereunder.

(ii)

(a) An initial resolution following July 1, 2009, may be adopted by a county or municipal legislative body to take effect on July 1, 2010, or at a later date stated in the resolution.

(b) A resolution adopted pursuant to subdivision (b)(1)(B)(ii)(a) or the adoption of any other resolution, shall expire one hundred eighty (180) days following the date of the election for the local legislative body next occurring following the adoption of the resolution, but an earlier expiration date may be stated in the resolution.

(C) The governing body of any such county or of a municipality located in any such county which has taken the action pursuant to subdivision (b)(1)(B) is authorized to reverse such action by adopting a resolution to apply the provisions of subsection (a) with respect to one-family and two-family dwellings within the jurisdictional boundaries of the municipality or county, as appropriate; provided, that, any action by the county legislative body concerning its actions shall be limited to the jurisdictional boundaries outside any municipality located within such county. The presiding officer of the governing body shall notify the state fire marshal of the approval of the resolution.